

PLN-12656-CUP, APN: 217-271-005

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 1 attachments (2 MB)

1600-2016-0482-R1_HUM_Smith_Water Diversion Culverts and Pond_FinalLSAA.pdf;

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Good Afternoon,

Please see the comments below regarding the above-referenced project.

Project Number: PLN-12565-CUP**Project Name:** Big Rock Farms, Inc**APN(s):** 217-271-005**CEQA:** CEQA-2017-0577-R1**Project Description**

Big Rock Farms, Inc - Existing outdoor cultivation of 20,430sf

Conditional Use Permit for 20,430 square feet (SF) existing outdoor medical cannabis cultivation area.

Cultivation occurs in four (4) sites on the parcel including three (3) greenhouses and one (1) full sun outdoor. Water source is via diversion of an onsite spring and a well. A new well is proposed to support cultivation activities. Water storage of 141,000 gallons occurs in tanks and bladders. Estimated annual water usage is 185,250 Gallons. Processing would occur onsite in a proposed 16,000 SF processing facility. The site is served electricity by PGE.

CDFW COMMENTS:

Thank you for referring this application to the California Department of Fish and Wildlife (CDFW) for review and comment.

On February 28, 2024, CDFW staff conducted a site inspection at the subject property on Assessor Parcel Number (APN) 217-271-005. During the site visit, staff walked the property to observe current, historic, and proposed cultivation activities. The following comments are intended to assist the Lead Agency in making informed decisions in the planning process. The following comments shall supersede prior comments submitted by CDFW regarding PLN-12565-CUP. CDFW requests that all comments are incorporated in the final Humboldt County Staff Report.

- On December 13, 2016, CDFW issued the applicant a final Lake and Streambed Alteration Agreement (LSAA, 1600-2016-0482-R1) for one Point of Diversion (POD) from an Unnamed Tributary to Larabee Creek, to upgrade and maintain three stream crossings, to remove an on-stream pond, and to restore a watercourse.
- The LSAA (1600-2016-0482-R1) expired on July 17, 2023. As of March 3, 2024, the applicant does not have a valid LSAA. While onsite, CDFW observed that work and maintenance on Crossing-3 (see attached expired LSAA) and on a ford crossing is still required. CDFW has determined notification under Fish and Game Code (FGC) Section 1602 is required for work and maintenance on the two stream crossings. Additionally, the applicant did not submit all required water monitoring reports to CDFW as required in the LSAA. As a result, the applicant has not

demonstrated compliance with the LSAA. CDFW requests, as a condition of approval, that the applicant notifies CDFW for the required work and receives a final LSAA prior to the initiation of cannabis cultivation on the parcel.

- While onsite, CDFW observed that the northern cultivation area is located within the SMA of two Class II streams. CDFW requests, as a condition of approval, that the applicant removes all cannabis cultivation and cultivation related infrastructure that is located within the SMA. CDFW further requests, as a condition of approval, that the applicant submits and implements a Restoration and Revegetation Plan to restore the habitat within the SMA of the two Class II streams.
- While onsite, the applicant's consultant informed CDFW that the applicant may consider relocating a portion of the northern cultivation area to a location outside of the SMA on the parcel (APN: 217-271-005). CDFW requests that any proposed cultivation relocation or deviation from the current proposed project is disclosed prior to the project going to decision. Additionally, CDFW requests, as a condition of approval, that prior to any ground-disturbing activities and cultivation relocation that a Biological Assessment is conducted. CDFW further requests, as a condition of approval, that prior to any ground-disturbing activities and cultivation relocation that protocol-level surveys are conducted by a qualified botanist, for any California Rare Plant Ranked Species that may be present within 200 feet of the proposed project site.
- The Project Description states that water for irrigation will be provided by an onsite spring and a well. While onsite, the applicant's consultant disclosed that water for cannabis irrigation will only be sourced from an onsite well. CDFW requests that the project description is updated to accurately reflect what is proposed on site.
- While onsite, CDFW observed uncontained trash and discarded and unused waterlines scattered throughout the parcel, posing a threat to sensitive wildlife species and public trust resources. CDFW requests, as a condition of approval, that all refuse and unused waterline is removed and properly disposed of at a waste management facility.
- While onsite, CDFW observed uncontained compost and discarded soil associated with cannabis cultivation. CDFW requests, as a condition of approval, that the applicant fully contains compost piles and all imported soil.
- While onsite, CDFW observed sediment discharge to Waters of the State through erosion of a hydrologically connected road. CDFW requests, as a condition of approval, that the applicant submit and implement an erosion control plan (site management plan) to deconcentrate surface flow off roads and away from streams. This would include maintenance of ditch relief culverts and water bars as necessary to mitigate sediment delivery.
- While onsite, CDFW observed monofilament netting that was used during cannabis cultivation operations. To minimize the risk of wildlife entrapment, CDFW requests, as a condition of approval, the prohibition of synthetic netting (e.g., plastic or nylon) including photo or biodegradable plastic netting for the purpose of cultivation operations and/or erosion control.

Thank you for the opportunity to comment on this project.

Corrina Kamaroff
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3/7/24, 11:54 AM

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